

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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J.D. CARPENTER,

Plaintiff,

- against -

CITY OF NEW YORK,

Defendant.

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BLOOM, United States Magistrate Judge:

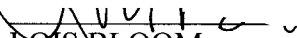
ORDER
09-CV-4524 (ARR)(LB)

Plaintiff seeks the production of certain documents by defendant as part of discovery, an opportunity to depose defendant for one to two hours on October 29, 2010 when she is scheduled to be deposed by defendant, and the Court's mediation in an effort to settle the case. Plaintiff also states that she is changing her damages demand to \$100,000.

As explained in the Court's Order dated September 1, 2010, discovery is the process by which the parties request information from each other; discovery requests are not made to the Court. Plaintiff should direct her discovery requests to defendant only, not to the Court. The Court also explained that each party bears its own costs of conducting discovery. Plaintiff will not be able to depose defendant on the date she is being deposed. The Court will schedule a settlement conference only if both parties request it. Finally, plaintiff must amend her complaint to make any changes to her pleading. Because more than 21 days have passed since defendant's answer was served on her, docket entry 31, Rule 15 of the Federal Rules of Civil Procedure requires that plaintiff obtain defendant's written consent, or else leave of the Court to amend her complaint. If plaintiff moves to amend her complaint, she must attach any proposed amended complaint to the motion. An amended complaint, if granted, completely takes the place of the original complaint. If plaintiff intends to amend her complaint, she should refer to the instructions regarding how to file an amended complaint in the pro se manual.

SO ORDERED.

/Signed by Judge Lois Bloom/


LOIS BLOOM
United States Magistrate Judge

Dated: October 22, 2010
Brooklyn, New York